

DONALD H. MEDEARIS, SBN 206849  
BAY AREA LEGAL AID  
1035 MARKET Street, 6<sup>th</sup> Floor  
San Francisco, CA 94103  
Telephone: (415) 354-6331(direct); (415) 982-1300 (general)  
Fax: (415) 982-4243  
E-mail: dmedearis@baylegal.org

Attorney for Plaintiff,  
RODNEY E. JACKSON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

RODNEY E. JACKSON,	)	Case No. 13-cv-04484-KAW
	)	<b>STIPULATION TO AWARD OF EQUAL</b>
Plaintiff,	)	<b>ACCESS TO JUSTICE ("EAJA") FEES</b>
vs.	)	<b>TO PLAINTIFF (28 U.S.C. §2412), AND</b>
	)	<b>PROPOSED ORDER</b>
CAROLYN W. COLVIN, Acting	)	
Commissioner of the Social Security	)	
Administration,	)	
	)	
Defendant.	)	

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that Plaintiff shall be awarded EAJA fees in the amount of \$6,750. After the Court issues an order for EAJA fees to the Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to his counsel's firm, Bay Area Legal Aid. Pursuant to *Astrue v. Ratliff*, 130 S. Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

**STIPULATION TO AWARD OF EQUAL ACCESS TO JUSTICE ("EAJA") FEES TO PLAINTIFF (28 U.S.C. §2412), AND PROPOSED ORDER; NO. 13-CV-04484-KAW**

Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made directly to Plaintiff's counsel's firm, Bay Area Legal Aid, pursuant to the assignment executed by the Plaintiff. Any payments made shall be delivered to counsel's firm, Bay Area Legal Aid. This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Plaintiff and/or counsel including counsel's firm, Bay Area Legal Aid, may have relating to EAJA attorney fees in connection with this action.

Dated: July 6, 2015

/s/Donald H. Medearis  
BAY AREA LEGAL AID  
Attorney for Plaintiff

Dated: July 6, 2015

MELINDA L. HAAG  
United States Attorney  
ALEX G.TSE,  
Chief Civil Division, Region IX  
Social Security Administration

By: /s/Jeffrey Chen  
(\* as authorized by e-mail on July 6, 2015)  
Jeffrey Chen  
Special Assistant United States Attorney  
Attorneys for Defendant

ORDER:

APPROVED AND SO ORDERED

Dated: 7/6/15

By: Kandis Westmore  
THE HONORABLE KANDIS A. WESTMORE  
United States Magistrate Judge

**STIPULATION TO AWARD OF EQUAL ACCESS TO JUSTICE ("EAJA") FEES TO PLAINTIFF (28 U.S.C. §2412), AND PROPOSED ORDER; NO. 13-CV-04484-KAW**